

<b>DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing		Attorney Docket No.	2318-247
		First Named Inventor	Sean V. TAVTIGIAN
		COMPLETE IF KNOWN	
		Application Number	09/434,382
		Filing Date	5 November 19991
		Group Art Unit	1642
		Examiner Name	J. Hunt

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE**, the specification of which was filed on 5 November 1999 as United States Application Serial Number 09/434,382.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

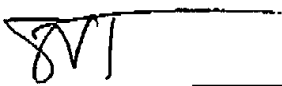
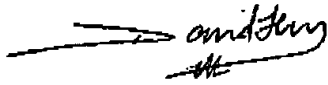
I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/107,468	11/06/1998

We hereby appoint the registered practitioner(s) associated with Customer No. **6449** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all correspondence to Customer Number **6449**.

Declaration and Power of Attorney  
Page 1

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Sean V. (first and middle [if any])		Family Name TAVTIGIAN or Surname	
Inventor's Signature 		Date 12/03/2001	
Residence: City Salt Lake City	State Utah	Country USA	Citizenship USA
Mailing Address 557 East 1st Avenue			
Mailing Address			
City Salt Lake City	State Utah	Zip 84108	Country USA
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name David H.-F. (first and middle [if any])		Family Name TENG or Surname	
Inventor's Signature 		Date 12/6/2001	
Residence: City Salt Lake City	State Utah	Country USA	Citizenship Malaysia
Mailing Address 1109 South Augusta Way			
Mailing Address			
City Salt Lake City	State Utah	Zip 84108	Country USA
<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Jacques (first and middle [if any])		Family Name SIMARD or Surname	
Inventor's Signature		Date	
Residence: City St. Augustin de DesMaures	State Quebec	Country Canada	Citizenship Canada
Mailing Address 4808 Du Pilet			
Mailing Address			
City St. Augustin de DesMaures	State Quebec	Zip G3A 1Z9	Country Canada

<b>NAME OF FOURTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Johanna M. (first and middle [if any])		Family Name ROMMENS or Surname	
Inventor's Signature		Date	
Residence: City Toronto	State Ontario	Country USA	Citizenship Canada
Mailing Address 1501-717 Bay Street			
Mailing Address			
City Toronto	State Ontario	Zip 84121	Country Canada
<b>NAME OF FIFTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Lisa A. (first and middle [if any])		Family Name CANNON ALBRIGHT or Surname	
Inventor's Signature		Date	
Residence: City Salt Lake City	State Utah	Country USA	Citizenship USA
Mailing Address 4653 S. Idlewild Rd.			
Mailing Address			
City Salt Lake City	State Utah	Zip 84124	Country USA
<b>NAME OF SIXTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Susan L. (first and middle [if any])		Family Name NEUHAUSEN or Surname	
Inventor's Signature		Date	
Residence: City Salt Lake City	State Utah	Country USA	Citizenship USA
Mailing Address 1526 S. Wasatch Dr.			
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		Application Number	09/434,382
		Filing Date	5 November 1999 <b>X</b>
		Group Art Unit	1642
		Examiner Name	J. Hunt

As a below named inventor, I hereby declare that:

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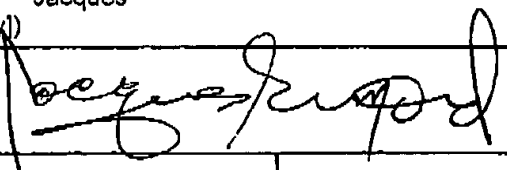
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We hereby appoint the registered practitioner(s) associated with Customer No. 6449 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please direct all correspondence to Customer Number 6449.

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<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Jacques (first and middle [if any])		Family Name SIMARD or Surname	
Inventor's Signature 		Date 21 / 01 / 02	
Residence: City St. Augustin de DesMaures	State Quebec	Country Canada	Citizenship Canada
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Mailing Address			
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Given Name                      Johanna M. (first and middle [if any])		Family Name                      ROMMENS or Surname	
Inventor's Signature <i>Johanna Rommens</i>		Date <i>January 4, 2002</i>	
Residence: City    Toronto	State    Ontario	Country <del>USA</del> <sup>CANADA</sup>	Citizenship    Canada
Mailing Address    1501-717 Bay Street			
Mailing Address			
City    Toronto	State    Ontario	Zip    84121	Country    Canada
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Inventor's Signature		Date	
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	First Named Inventor	Sean V. TAVTIGIAN
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Inventor's Signature		Date	
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Mailing Address			
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Mailing Address			
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<b>NAME OF THIRD INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Jacques (first and middle [if any])		Family Name SIMARD or Surname	
Inventor's Signature		Date	
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Mailing Address 4808 Du Pilet			
Mailing Address			
City St. Augustin de DesMaures	State Quebec	Zip G3A 1Z9	Country Canada

<b>NAME OF FOURTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name <b>Johanna M.</b> (first and middle [if any])		Family Name <b>ROMMENS</b> or Surname	
Inventor's Signature		Date	
Residence: City <b>Toronto</b>	State <b>Ontario</b>	Country <b>USA</b>	Citizenship <b>Canada</b>
Mailing Address <b>1501-717 Bay Street</b>			
Mailing Address			
City <b>Toronto</b>	State <b>Ontario</b>	Zip <b>84121</b>	Country <b>Canada</b>
<b>NAME OF FIFTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name <b>Lisa A.</b> (first and middle [if any])		Family Name <b>CANNON ALBRIGHT</b> or Surname	
Inventor's Signature 		Date <b>11/30/2001</b>	
Residence: City <b>Salt Lake City</b>	State <b>Utah</b>	Country <b>USA</b>	Citizenship <b>USA</b>
Mailing Address <b>4653 S. Idlewild Rd.</b>			
Mailing Address			
City <b>Salt Lake City</b>	State <b>Utah</b>	Zip <b>84124</b>	Country <b>USA</b>
<b>NAME OF SIXTH INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name <b>Susan L.</b> (first and middle [if any])		Family Name <b>NEUHAUSEN</b> or Surname	
Inventor's Signature 		Date <b>11-30-01</b>	
Residence: City <b>Salt Lake City</b>	State <b>Utah</b>	Country <b>USA</b>	Citizenship <b>USA</b>
Mailing Address <b>1526 S. Wasatch Dr.</b>			
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<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/434,382
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	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	J. Hunt
	<i>Attorney Docket Number</i>	2318-247
<i>Title of the Invention:</i> CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE		

**STATEMENT UNDER 37 C.F.R. § 1.48**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

LISA A. CANNON ALBRIGHT and SUSAN L. NEUHAUSEN hereby state that they are joint inventors of the invention of the above-identified application filed in the name of Sean V. Tavigian, David H.-F. Teng, Jacques Simard and Johanna M. Rommens.

The above application was inadvertently filed omitting the names of LISA A. CANNON ALBRIGHT and SUSAN L. NEUHAUSEN as co-inventors through error and without any deceptive intention on our part.

Date: 11/30/01

  
Lisa A. CANNON ALBRIGHT

Date: 11-28-01

  
Susan L. NEUHAUSEN

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**CONSENT OF ASSIGNEE MYRIAD GENETICS, INC.**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Myriad Genetics, Inc., assignee of the interest of Sean V. Tavtigian, David H.-F. Teng and Jacques Simard in the subject matter in the application identified above, through its undersigned authorized officer, hereby consents to correction of the inventorship of the subject application to add Lisa A. Cannon Albright and Susan L. Neuhausen as co-inventors along with the originally named inventors Sean V. Tavtigian, David H.-F. Teng, Jacques Simard and Johanna M. Rommens.

By: \_\_\_\_\_

Christopher L. Wright  
Vice President, General Counsel

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**STATEMENT PURSUANT TO 37 CFR 3.73(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Myriad Genetics, Inc., through its undersigned authorized officer, represents that it is the assignee of the entire interest in the above-identified application with respect to the rights of coinventors Sean V. Tavtigian, David H.-F. Teng and Jacques Simard, and that an assignment to it from these coinventors has been recorded at Reel 10797, Frames 708-710. A copy of the assignment is attached and has been reviewed by the undersigned authorized officer of Myriad Genetics, Inc., who certifies that, to the best of the assignee's knowledge and belief, title is in Myriad Genetics, Inc.

By: 

Christopher L. Wight  
Vice President, General Counsel

Docket No. 2318-247

**ASSIGNMENT**

**WHEREAS**, We, Sean V. TAVTIGIAN, a citizen of the United States of America, residing at 557 East 1st Avenue, Salt Lake City, Utah 84103, David H.-F. TENG, a citizen of the United States of America, residing at 1147 Blaine Avenue, Salt Lake City, Utah 84105, and Jacques SIMARD, a citizen of Canada, residing at 4808 Du Pilet, St. Augustin de DesMoures, Quebec, Canada G3A1Z9 (hereinafter referred to as "Assignors"), along with Johanna M. ROMMENS are the inventors of an invention in "CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE", for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 5 November 1999 and assigned Serial 09/434,382; and

**WHEREAS**, MYRIAD GENETICS, INC., duly organized under the laws of the state of Utah, with a place of business at 320 Wakara Way, Salt Lake City, Utah 84108 (hereinafter referred to as "Assignee"), is desirous of obtaining Assignors' entire right, title and interest in, to and under the said invention and the said application for the United States of America and all countries foreign thereto, and in and to any and all Letters Patent to be issued for said invention in the United States of America and all countries foreign thereto, including any and all non-provisional applications, continuations, divisions, reissues, or extensions, of such application or Letters Patent;

**NOW, THEREFORE**, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said application and all non-provisional applications, divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reexaminations, reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

**AND ASSIGNORS HEREBY** covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

**AND ASSIGNORS HEREBY FURTHER** covenant and agree that we will communicate to said Assignee, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all nonprovisional, divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

**IN TESTIMONY WHEREOF**, we hereunto set our hands and seals the day and year set opposite our respective signatures.

Dated: 3/8/00 [Signature] L.S.

Sean V. TAVTIGIAN

Dated: 3/8/2000 [Signature] L.S.

David H.-F. TENG

Dated: \_\_\_\_\_ [Signature] L.S.

Jacques SIMARD

**COPY**



Docket No. 2318-247

**ASSIGNMENT**

WHEREAS, We, Sean V. TAVTIGIAN, a citizen of the United States of America, residing at 557 East 1st Avenue, Salt Lake City, Utah 84103, David H.-F. TENG, a citizen of the United States of America, residing at 1147 Blaine Avenue, Salt Lake City, Utah 84105, and Jacques SIMARD, a citizen of Canada, residing at 4808 Du Pilet, St. Augustin de DesMaures, Quebec, Canada G3A1Z9 (hereinafter referred to as "Assignors"), along with Johanna M. ROMMENS are the inventors of an invention in "CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE", for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 5 November 1999 and assigned Serial 09/434,382; and

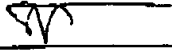
WHEREAS, MYRIAD GENETICS, INC., duly organized under the laws of the state of Utah, with a place of business at 320 Wakara Way, Salt Lake City, Utah 84108 (hereinafter referred to as "Assignee"), is desirous of obtaining Assignors' entire right, title and interest in, to and under the said invention and the said application for the United States of America and all countries foreign thereto, and in and to any and all Letters Patent to be issued for said invention in the United States of America and all countries foreign thereto, including any and all non-provisional applications, continuations, divisions, reissues, or extensions, of such application or Letters Patent;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said application and all non-provisional applications, divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reexaminations, reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

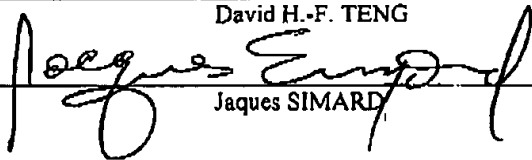
AND ASSIGNORS HEREBY covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNORS HEREBY FURTHER covenant and agree that we will communicate to said Assignee, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all nonprovisional, divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

IN TESTIMONY WHEREOF, we hereunto set our hands and seals the day and year set opposite our respective signatures.

Dated: 3/8/00  \_\_\_\_\_ L.S.  
Sean V. TAVTIGIAN

Dated: \_\_\_\_\_ David H.-F. TENG \_\_\_\_\_ L.S.

Dated: 13 APRIL 2000  \_\_\_\_\_ L.S.  
Jacques SIMARD

**COPY**

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/434,382
	<i>Filing Date</i>	5 November 1999
	<i>First Named Inventor</i>	Sean V. TAVTIGIAN
	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	J. Hunt
	<i>Attorney Docket Number</i>	2318-247
<i>Title of the Invention:</i> CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE		

**CONSENT OF ASSIGNEE THE HOSPITAL FOR SICK CHILDREN**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Hospital for Sick Children, assignee of the interest of Johanna M. Rommens in the subject matter in the application identified above, through its undersigned authorized officer, hereby consents to correction of the inventorship of the subject application to add Lisa A. Cannon Albright and Susan L. Neuhausen as co-inventors along with the originally named inventors Sean V. Tavigian, David H.-F. Teng, Jacques Simard and Johanna M. Rommens

By: \_\_\_\_\_

Dr. Manuel Buchwald  
Director, Research Institute

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/434,382
	<i>Filing Date</i>	5 November 1999
	<i>First Named Inventor</i>	Sean V. TAVTIGIAN
	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	J. Hunt
	<i>Attorney Docket Number</i>	2318-247
<i>Title of the Invention:</i> CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE		

**STATEMENT PURSUANT TO 37 CFR 3.73(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The Hospital for Sick Children, through its undersigned authorized officer, represents that it is the assignee of the entire interest in the above-identified application with respect to the rights of coinventor Johanna M. Rommens, and that an assignment to it from this coinventor has been recorded at Reel 10800, Frames 900-902. A copy of the assignment is attached and has been reviewed by the undersigned authorized officer of The Hospital for Sick Children, who certifies that, to the best of the assignee's knowledge and belief, title is in The Hospital for Sick Children.

By: \_\_\_\_\_

Dr. Manuel Buchwald  
Director, Research Institute

Docket No. 2318-247

## ASSIGNMENT

**WHEREAS**, I, Johanna M. ROMMENS, a citizen of Canada, residing at 1501-717 Bay Street, Toronto, Ontario, Canada M5G 2J9, along with Sean V. TAVTIGIAN, David H.-F. TENG, and Jacques SIMARD, are the inventors of an invention in "CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE" (hereinafter "Invention"), for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 5 November 1999 and assigned Serial 09/434,382;

**AND WHEREAS**, Johanna M. ROMMENS is employed by THE HOSPITAL FOR SICK CHILDREN, duly organized under the laws of Canada, with a place of business at 555 University Avenue, Toronto, Ontario, M5G 1X8 Canada (hereinafter "Hospital") and is governed by the Technology Transfer Policy;

**AND WHEREAS**, the Hospital is the beneficial owner, pursuant to that Technology Transfer Policy, of the rights in the Invention of Johanna M. ROMMENS who, in consideration of her employment by the Hospital and other good and valuable consideration, confirms assignment of her rights in the Invention to the Hospital;

**NOW, THEREFORE**, I, Johanna M. ROMMENS, confirm that, pursuant to that Technology Transfer Policy and for good and valuable consideration, the receipt of which is hereby acknowledged, have sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said Hospital, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said Invention, and the said application and all non-provisional applications, divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reexaminations, reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, including International Applications under the Patent Cooperation Treaty, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said Hospital, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

**AND Johann M. ROMMENS HEREBY** covenants and agree that she promptly, upon request and without further compensation, will communicate to said Hospital, its successors, legal representatives and assigns, any facts known to her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all nonprovisional, divisional, continuing and reissue

COPY

applications, make all rightful oaths and generally do everything possible to aid the said Hospital, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries and for perfecting, affirming, recording and maintaining the title in the Invention to the Hospital, its successors and assigns;

AND each of the parties hereto acknowledges that they have been advised by the others to seek independent legal advice with respect to this assignment and that they have not relied upon any of the other parties hereto for advice, whether legal or otherwise, with respect to this assignment. Furthermore, each of the parties hereto acknowledges that they have either sought independent legal advice or have waived this right prior to signing this assignment.

Dated the 9<sup>th</sup> day of March, 2000

St. H.  
Witness:

Johanna M. Rommens  
Inventor: Johanna M. ROMMENS

Dated the 10<sup>th</sup> day of March, 2000

St. H.  
Witness:

THE HOSPITAL FOR SICK CHILDREN  
Dr. Manuel Buchwald  
By: Dr. Manuel Buchwald  
Titel: Director, Research Institute

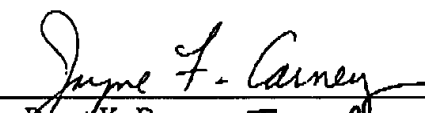
<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/434,382
	<i>Filing Date</i>	5 November 1999
	<i>First Named Inventor</i>	Sean V. TAVTIGIAN
	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	J. Hunt
	<i>Attorney Docket Number</i>	2318-247
<i>Title of the Invention:</i> CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE		

**CONSENT OF ASSIGNEE UNIVERSITY OF UTAH RESEARCH FOUNDATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

University of Utah Research Foundation, assignee of the interest of the rights of Lisa A. Cannon Albright and Susan Neuhausen in the subject matter in the application identified above, through its undersigned authorized officer, hereby consents to correction of the inventorship of the subject application to add Lisa A. Cannon Albright and Susan L. Neuhausen as co-inventors along with the originally named inventors Sean V. Tavtigian, David H.-F. Teng, Jacques Simard and Johanna M. Rommens.

By:   
~~Brent K. Brown~~ Jayne Carney  
~~Technology Manager~~ Technology Transfer Office  
Sr. Licensing Manager

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	09/434,382
	<i>Filing Date</i>	5 November 1999
	<i>First Named Inventor</i>	Sean V. TAVTIGIAN
	<i>Group Art Unit</i>	1642
	<i>Examiner Name</i>	J. Hunt
	<i>Attorney Docket Number</i>	2318-247
<i>Title of the Invention:</i> CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE		

**STATEMENT PURSUANT TO 37 CFR 3.73(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

University of Utah Research Foundation, through its undersigned authorized signatory, represents that it is the assignee of the entire interest in the above-identified application with respect to the rights of coinventors Lisa A. Cannon Albright and Susan L. Neuhausen, and that that an assignment from these coinventors to the University of Utah and an assignment to University of Utah Research Foundation from the University of Utah are being submitted for recordation. A copy of each of these assignments is attached and has been reviewed by the undersigned authorized signatory of University of Utah Research Foundation, who certifies that, to the best of the assignee's knowledge and belief, title is in University of Utah Research Foundation.

By: \_\_\_\_\_

*James F. Carney*  
~~Brent K. Brown~~ *James Carney*  
~~Technology Manager~~ Technology Transfer Office  
*Sr. Licensing Manager*

**ASSIGNMENT**

**WHEREAS**, WE, Lisa A. CANNON ALBRIGHT, a citizen of the United States of America, residing at 4653 S. Idlewild Rd., Salt Lake City, Utah 84124 and Susan L. NEUHAUSEN, a citizen of the United States of America, residing at 1526 S. Wasatch Dr., Salt Lake City, Utah 84108, are coinventors, along with coinventors Sean V. TAVTIGIAN, David H.-F. TENG, Jacques SIMARD and Johanna M. ROMMENS, of an invention in "CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE", for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 5 November 1999 and assigned Serial 09/434,382; and

**WHEREAS**, the UNIVERSITY OF UTAH, a non-profit institution duly organized under the laws of the State of Utah, with a place of business at 615 Arapahoe Drive, Suite 110, Salt Lake City, Utah 84108 is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application for the United States of America and all countries foreign thereto, and in and to any and all Letters Patent to be issued for said invention in the United States of America and all countries foreign thereto, including any and all continuations, divisions, reissues, or extensions, of such application or Letters Patent;;

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, we the said Lisa A. CANNON ALBRIGHT and Susan L. NEUHAUSEN have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, in accordance with the terms of this instrument.


**AND WE HEREBY** covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

**AND WE HEREBY** further covenant and agree that we will communicate to said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

**IN TESTIMONY WHEREOF**, we hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 11/30 2001  
Lisa A. CANNON ALBRIGHT

L.S.

Date 11-28 2001  
Susan L. NEUHAUSEN

L.S.

**COPY**



Docket No. 2318-247

**ASSIGNMENT**

**WHEREAS**, the UNIVERSITY OF UTAH, a non-profit institution duly organized under the laws of the state of Utah, with a place of business at 615 Arapleen Drive, Suite 110, Salt Lake City, Utah 84108 (hereinafter referred to as "Assignor") is owner, by virtue of an assignment executed by inventors Lisa A. CANNON ALBRIGHT and Susan L. NEUHAUSEN, of an invention in "CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE", for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 5 November 1999 and assigned Serial 09/434,382; and

**WHEREAS**, the UNIVERSITY OF UTAH RESEARCH FOUNDATION, a non-profit organization duly organized under the laws of the state of Utah, with a place of business at 615 Arapleen Drive, Suite 110, Salt Lake City, Utah 84108 (hereinafter referred to as "Assignee") is desirous of obtaining Assignor's entire right, title and interest in, to and under the said invention and the said application for the United States of America and all countries foreign thereto, and in and to any and all Letters Patent to be issued for said invention in the United States of America and all countries foreign thereto, including any and all continuations, divisions, reissues, or extensions, of such application or Letters Patent;

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, its entire right, title and interest in, to and under the said invention, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reexaminations, reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

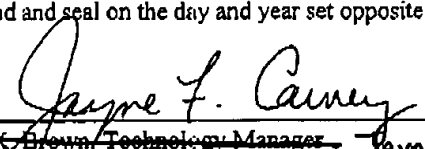
**AND ASSIGNOR HEREBY** covenants that it has full right to convey the entire interest herein assigned, and that it has not executed, and will not execute, any agreement in conflict herewith.

**AND ASSIGNOR HEREBY FURTHER** covenants and agrees that it will communicate to said Assignee, its successors, legal representatives and assigns, any facts known to it respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation and reissue applications, make all rightful oaths and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

**IN TESTIMONY WHEREOF**, Assignor sets its hand and seal on the day and year set opposite its signature.

Date


11/30/01

  
~~Brent K. Brown, Technology Manager~~ Jayne Carney, Sr. Licensing  
Technology Transfer Office, University of Utah Mgr.

L.S.

**COPY**

FORM PTO-1619A		U.S. Department of Commerce Patent and Trademark Office <b>PATENT</b>	
<b>RECORDATION FORM COVER SHEET PATENTS ONLY</b>			
TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).			
<b>Submission Type</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Resubmission (Non-Recordation) Document ID# _____ <input type="checkbox"/> Correction of PTO Error Reel # _____ Frame # _____ <input type="checkbox"/> Corrective Document Reel # _____ Frame # _____		<b>Conveyance Type</b> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement <input type="checkbox"/> License <input type="checkbox"/> Change of Name <input type="checkbox"/> Merger <input type="checkbox"/> Other _____	
<b>Conveying Party(ies)</b> Name (line 1)      CANNON ALBRIGHT, Lisa A. Name (line 2) <b>Second Party</b> Name (line 1)      NEUHAUSEN, Susan L. Name (line 2) <b>Third Party</b> Name (line 1) Name (line 2) <b>Fourth Party</b> Name (line 1)		<input type="checkbox"/> Mark if additional names of conveying parties attached Execution Date 11/30/2001  Execution Date 11/28/2001  Execution Date  Execution Date	
<b>Receiving Party</b> Name (line 1)      University of Utah Name (line 2)      a non-profit institution of the State of Utah Address (line 1)    615 Arapeen Drive Address (line 2)    Suite 110 Address (line 3)    Salt Lake City, Utah 84108		<input type="checkbox"/> Mark if additional names of receiving parties attached <input type="checkbox"/> If document to be recorded is an assignment and the receiving party is not domiciled in the U.S., an appointment of domestic representative is attached.	
<b>Domestic Representative Name and Address</b> Name: Address (line 1): Rothwell, Figg, Ernst & Manbeck Address (line 2): 555 13th St., N.W. Address (line 3): Suite 701-East Address (line 4): Washington, D.C. 20004		Enter for the First Receiving Party only.	
<b>FOR OFFICE USE ONLY</b>			

Form PTO-1619B		Page 2		U.S. Department of Commerce Patent and Trademark Office <b>PATENT</b>	
<b>Correspondent Name and Address</b>				Area Code and Telephone Number: 202/783-6040	
Name: Jeffrey L. IHNEN, Reg. No. 28,957 Address (line 1): Rothwell, Figg, Ernst & Manbeck Address (line 2): 555 13th St., N.W. Address (line 3): Suite 701-East Address (line 4): Washington, D.C. 20004					
<b>Pages</b>		Enter the total number of pages of the attached conveyance document including any attachments <span style="float: right;"># one (1)</span>			
<b>Application Number(s) or Patent Number(s)</b>				[ ] Mark if additional numbers attached	
<i>Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property)</i>					
Patent Application Number(s):		Patent Number(s):			
09/434,382					
If this document is being filed together with a <u>new</u> Patent Application, enter the date of the patent application was signed by the first named executing inventor.					
<b>Patent Cooperation Treaty (PCT)</b>					
Enter PCT application Number <u>only</u> if a U.S. Application Number has not been assigned				PCT	
<b>Number of Properties</b>		Enter the total number of properties involved. # one (1)			
<b>Fee Amount</b>		Fee Amount for Properties Listed (37 CFR 3.41): \$40.00			
Method of Payment: <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Deposit Account <input type="checkbox"/> Credit Card					
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)					
Deposit Account Number: 02-2135					
Authorization to charge additional fees: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
<b>Statement and Signature</b>					
<i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.</i>					
JEFFREY L. IHNEN				20 FEBRUARY 2002	
Name of Person Signing		Signature		Date	
Registration No. 28,957					
Docket No. 2318-247					

**ASSIGNMENT**

**WHEREAS**, WE, Lisa A. CANNON ALBRIGHT, a citizen of the United States of America, residing at 4653 S. Idlewild Rd., Salt Lake City, Utah 84124 and Susan L. NEUHAUSEN, a citizen of the United States of America, residing at 1526 S. Wasatch Dr., Salt Lake City, Utah 84108, are coinventors, along with coinventors Sean V. TAVTIGLIAN, David H.-F. TENG, Jacques SIMARD and Johanna M. ROMMENS, of an invention in "CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE", for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 5 November 1999 and assigned Serial 09/434,382; and


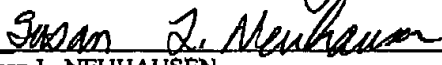
**WHEREAS**, the UNIVERSITY OF UTAH, a non-profit institution duly organized under the laws of the State of Utah, with a place of business at 615 Arapen Drive, Suite 110, Salt Lake City, Utah 84108 is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application for the United States of America and all countries foreign thereto, and in and to any and all Letters Patent to be issued for said invention in the United States of America and all countries foreign thereto, including any and all continuations, divisions, reissues, or extensions, of such application or Letters Patent;

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, we the said Lisa A. CANNON ALBRIGHT and Susan L. NEUHAUSEN have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

**AND WE HEREBY** covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

**AND WE HEREBY** further covenant and agree that we will communicate to said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said UNIVERSITY OF UTAH, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

**IN TESTIMONY WHEREOF**, we hereunto set our hands and seals the day and year set opposite our respective signatures.

Date	<u>11/30</u>	2001	 Lisa A. CANNON ALBRIGHT	L.S.
Date	<u>11-28</u>	2001	 Susan L. NEUHAUSEN	L.S.

FORM PTO-1619A

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT****RECORDATION FORM COVER SHEET  
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

☒ New  
☐ Resubmission (Non-Recordation)  
 Document ID# \_\_\_\_\_  
☐ Correction of PTO Error  
 Reel # \_\_\_\_\_ Frame # \_\_\_\_\_  
☐ Corrective Document  
 Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

**Conveyance Type**

☒ Assignment      ☐ Security Agreement  
☐ License          ☐ Change of Name  
☐ Merger            ☐ Other \_\_\_\_\_

**Conveying Party(ies)**☐ Mark if additional names of conveying parties attached

Name (line 1) UNIVERSITY OF UTAH

Execution Date

11/30/2001

Name (line 2)

**Second Party**

Name (line 1)

Execution Date

Name (line 2)

**Third Party**

Name (line 1)

Execution Date

Name (line 2)

**Fourth Party**

Name (line 1)

Execution Date

Name (line 2)

**Receiving Party**☐ Mark if additional names of receiving parties attached

Name (line 1) University of Utah Research Foundation

☐ If document to be recorded

Name (line 2) a non-profit organization of the State of Utah

is an assignment and the

Address (line 1) 615 Arapahoe Drive

receiving party is not

Address (line 2) Suite 110

domiciled in the U.S.,

Address (line 3) Salt Lake City, Utah 84108

an appointment of domestic  
representative is attached.**Domestic Representative Name and Address**

Enter for the First Receiving Party only.

Name:

Address (line 1): Rothwell, Figg, Ernst &amp; Manbeck

Address (line 2): 555 13th St., N.W.

Address (line 3): Suite 701-East

Address (line 4): Washington, D.C. 20004

**FOR OFFICE USE ONLY**

Form PTO-1619B		Page 2		U.S. Department of Commerce Patent and Trademark Office <b>PATENT</b>	
<b>Correspondent Name and Address</b>				Area Code and Telephone Number: 202/783-6040	
Name: Jeffrey L. IHNEN, Reg. No. 28,957 Address (line 1): Rothwell, Figg, Ernst & Manbeck Address (line 2): 555 13th St., N.W. Address (line 3): Suite 701-East Address (line 4): Washington, D.C. 20004					
<b>Pages</b>		Enter the total number of pages of the attached conveyance document including any attachments <span style="float: right;"># one (1)</span>			
<b>Application Number(s) or Patent Number(s)</b> <span style="float: right;">[ ] Mark if additional numbers attached</span> <i>Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property)</i>					
Patent Application Number(s):  09/434,382			Patent Number(s):		
If this document is being filed together with a <u>new</u> Patent Application, enter the date of the patent application was signed by the first named executing inventor.					
<b>Patent Cooperation Treaty (PCT)</b>  Enter PCT application Number <span style="float: right;">PCT</span> <u>only</u> if a U.S. Application Number has not been assigned					
<b>Number of Properties</b>		Enter the total number of properties involved. # one (1)			
<b>Fee Amount</b>		Fee Amount for Properties Listed (37 CFR 3.41): \$40.00			
Method of Payment: <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Deposit Account <input type="checkbox"/> Credit Card Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.) Deposit Account Number: 02-2135 Authorization to charge additional fees: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
<b>Statement and Signature</b>  <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.</i>  JEFFREY L. IHNEN <span style="float: right;">20 FEBRUARY 2002</span> Name of Person Signing <span style="float: right;">Signature</span> <span style="float: right;">Date</span> Registration No. 28,957 Docket No. 2318-247					

Docket No. 2318-247

**ASSIGNMENT**

**WHEREAS**, the UNIVERSITY OF UTAH, a non-profit institution duly organized under the laws of the state of Utah, with a place of business at 615 Arapleen Drive, Suite 110, Salt Lake City, Utah 84108 (hereinafter referred to as "Assignor") is owner, by virtue of an assignment executed by inventors Lisa A. CANNON ALBRIGHT and Susan L. NEUHAUSEN, of an invention in "CHROMOSOME 17p-LINKED PROSTATE CANCER SUSCEPTIBILITY GENE", for which an application for Letters Patent of the United States was filed in the United States Patent and Trademark Office on 5 November 1999 and assigned Serial 09/434,382; and

**WHEREAS**, the UNIVERSITY OF UTAH RESEARCH FOUNDATION, a non-profit organization duly organized under the laws of the state of Utah, with a place of business at 615 Arapleen Drive, Suite 110, Salt Lake City, Utah 84108 (hereinafter referred to as "Assignee") is desirous of obtaining Assignor's entire right, title and interest in, to and under the said invention and the said application for the United States of America and all countries foreign thereto, and in and to any and all Letters Patent to be issued for said invention in the United States of America and all countries foreign thereto, including any and all continuations, divisions, reissues, or extensions, of such application or Letters Patent;

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, its entire right, title and interest in, to and under the said invention, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reexaminations, reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

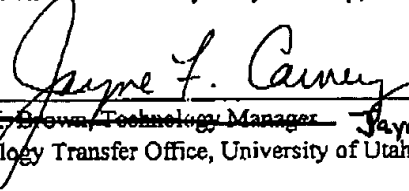
**AND ASSIGNOR HEREBY** covenants that it has full right to convey the entire interest herein assigned, and that it has not executed, and will not execute, any agreement in conflict herewith.

**AND ASSIGNOR HEREBY FURTHER** covenants and agrees that it will communicate to said Assignee, its successors, legal representatives and assigns, any facts known to it respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation and reissue applications, make all rightful oaths and generally do everything possible to aid the said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

**IN TESTIMONY WHEREOF**, Assignor sets its hand and seal on the day and year set opposite its signature.

Date

11/30/01

  
~~Brent K. Brown, Technology Manager~~  
Technology Transfer Office, University of Utah

L.S.

Jayne Carney, Sr. Licensing  
Mgt.